

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

ERIC J. PAYNE, §  
§  
Plaintiff, §  
§  
§  
V. § CIVIL NO: 5:07-CV-162  
§ Judge Folsom/  
§ Magistrate Judge Everingham  
PETE GEREN, Secretary of the Army, §  
§  
Defendant. §

**ORDER VACATING MEDIATION REQUIREMENT**

Having considered the parties' Notice Regarding Mediation and Joint Motion to Amend Scheduling Order, the Court VACATES the January 15, 2010 mediation deadline set forth in the Court's June 8, 2009 Scheduling Order.

SIGNED this 23rd day of June, 2009.

  
CHARLES EVERINGHAM/IV  
UNITED STATES MAGISTRATE JUDGE